

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

KATHERINE G.,

Plaintiff,

v.

**1:22-CV-1309
(FJS/ATB)**

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

APPEARANCES

OF COUNSEL

OSBORN LAW P.C.
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Attorneys for Plaintiff

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Baltimore, Maryland 21235
Attorneys for Defendant

HEETANO SHAMSOONDAR, ESQ.

SCULLIN, Senior Judge

ORDER

Plaintiff commenced this action pursuant to the Social Security Act, 42 U.S.C. § 405(g), seeking judicial review of a final decision of the Commissioner of Social Security, denying her application for benefits. *See* Dkt. No. 1. Magistrate Judge Baxter issued a Report-Recommendation dated August 23, 2023, in which he recommended that the Court deny Plaintiff's motion for judgment on the pleadings, grant Defendant's motion for judgment on the pleadings, affirm Defendant's decision and dismiss Plaintiff's complaint in its entirety. *See* Dkt.

No. 12 at 16. Neither party filed any objections to the Report-Recommendation within the required time frame.

When a party does not object to a magistrate judge's report-recommendation, the Court reviews that report-recommendation for clear error or manifest injustice. *See Linares v. Mahunik*, No. 9:05-CV-625, 2009 WL 3165660, *10 (N.D.N.Y. July 16, 2009) (citation and footnote omitted). After conducting that review, "the Court may 'accept, reject, or modify, in whole or in part, the . . . recommendations made by the magistrate judge.'" *Id.* (quoting 28 U.S.C. § 636(b)(1)(C)).

The Court has reviewed Magistrate Judge Baxter's August 23, 2023 Report-Recommendation for clear error and manifest injustice; and, finding none, the Court hereby

ORDERS that Magistrate Judge Baxter's August 23, 2023 Report-Recommendation, *see* Dkt. No. 12, is **ACCEPTED in its entirety** for the reasons stated therein; and the Court further

ORDERS that Plaintiff's motion for judgment on the pleadings, *see* Dkt. Nos. 7, 11, is **DENIED**; and the Court further

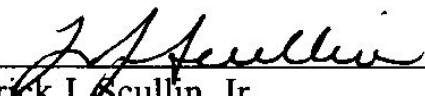
ORDERS that Defendant's motion for judgment on the pleadings, *see* Dkt. No. 10, is **GRANTED**; and the Court further

ORDERS that Defendant's decision is **AFFIRMED**; and Plaintiff's complaint is **DISMISSED** in its entirety; and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Defendant and close this case.

IT IS SO ORDERED.

Dated: September 11, 2023
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Judge